

Judge Joseph Bianco
U.S. Federal Court House
Eastern District of NY
225 Cadman Plaza East
Brooklyn, NY 11201

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUN 23 2017 ★


LONG ISLAND OFFICE

13-cr-607

Judge Bianco,

Enclosed please find a letter I wrote to you, as well as two supporting documents. I am requesting that you please redact my personal information if this letter will be shared or posted (my address and phone number on the bottom of the page).

Thank you,



Michael Peca

FROM THE DESK OF

MICHAEL PECA

April 28, 2017

Judge Joseph Bianco
U.S. Federal Court House
Eastern District of NY
225 Cadman Plaza East
Brooklyn, NY 11201

Dear Judge Bianco,


I'm writing you because I flew to Long Island for the hearing this past Monday 24th, assuming the Ken Jowdy settlement would be addressed by the court. I felt it was important for me to be a presence in court as one of the victims, who clearly sees that the deal is not a good one for the victims, and truly only benefits co-conspirator Ken Jowdy. And, more importantly, I wanted my presence to stress that the settlement does not include all of the victims/hockey players.

As I sat there listening to Jowdy's lawyers attempt to sell his smoke and mirrors 'deal,' I grew increasingly frustrated that the truth was not mentioned in court. I have a couple of pertinent facts about this 'deal,' I hope you will consider as you prepare to rule.

First of all, this deal, arranged by co-conspirator Ken Jowdy, to represent CSL Properties and SOME of the hockey players, does not come close to including all of the victims. Not all the hockey players involved have signed on, including me. In fact, there are many victims at play here, not just those select hockey players who signed on. ALL the victims interests need to, and should be considered.

Secondly, you'll notice that the deal involves NO MONEY being given back to those players who signed on. We invested our money over a decade ago, have seen NO return all these years, and yet this settlement deal that co-conspirator Ken Jowdy put together promises NOTHING financially! All that is guaranteed is free golf at the resort and 1/2 price deals on rooms. The deal is relying on co-conspirator Ken Jowdy's word to pay future profits to players, when \$0 have been paid back to investors in well over a decade. Again, the collective investors haven't received a dime, yet Jowdy continues to line his pockets!

In terms of the money sent to the project from investors, Jowdy has incorrectly reported the figures. Jowdy originally claimed that he only received \$2 million from the players for an 8% equity stake in CSL Properties (see Correspondence pg 3



section B), when, in fact, the court records show he received \$2.3 million. And, \$100,000 of that extra \$300,000 came from ME. Only after the government found the additional \$300,00 that went to Jowdy, did Jowdy decide to then show the \$300,000 in this new settlement proposal (see Settlement Agreement pg 9 section 3.1.1.). HOWEVER, Jowdy shows it WITHOUT adjusting the equity stake!!! Why was that \$300,000 initially unaccounted for by Jowdy, and why didn't he adjust the equity stake in CSL after the government exposed the additional \$300,000 that went to co-conspirator Jowdy? Keep in mind, that even though the players contributed most of the money towards the project, they were only given an 8% share!! Kenner and Jowdy were 'given' the lion-share of the project even though they collectively invested NOTHING. A lot of contaminated money (from the laundering) was sent to Mexico, including money from non-hockey-player investors. I'm pointing this out to emphasize that Jowdy can't be trusted and didn't make this settlement deal in good faith.

Additionally, please recognize that Jowdy has no sincere interest in settling with the players, or anyone else for that matter. He did not attempt to make this deal until the Delaware lawsuit and the government pressed him to open the books to the investors, and until the government made it known that they want to seize his percentage in the project for restitution. Clearly, Jowdy thinks this deal will show he 'mended fences' with the players, that *'all the victims will be taken care of.'* (He'll imply that it's a blanket deal with all, but remember many victims aren't falling for this 'deal,' and aren't included in this settlement).

Furthermore, it should be noted that each victim has a different level of desperation, as some have gone bankrupt or are close to it. Some are willing to sign a deal (regardless of how bad it is) in hopes of getting anything, despite knowing that Jowdy is a co-conspirator in this case, and that tens of millions of dollars of our money was sent from convicted felon Phil Kenner to co-conspirator Ken Jowdy for entities that he controlled.

Judge, there is no way we can rely on co-conspirator Ken Jowdy's "good faith" (see Settlement Agreement and Lease, pg. 8 section 2.1.8.) to get us our investment back, because he has proven time and time again that he has no intention of giving a dime back to any investor. The only people that will continue to profit from Diamante is co-conspirator Ken Jowdy, his family and friends.

Thank you for taking the time to read this letter.

Sincerely yours,


Michael Peca